



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 400**

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H400-ABV-24 [v.6]

Page 1 of 2

Amends Title [YES]
Third Edition

Date _____, 2021

Senator Alexander

1 moves to amend the bill on page 1, lines 4-5, by rewriting the lines to read:

2
3 "ELECTED MEMBERS, TO INCREASE THE MEMBERSHIP OF THE ASHEVILLE CITY
4 BOARD OF EDUCATION FROM FIVE MEMBERS TO SEVEN MEMBERS, AND TO
5 PROVIDE THAT SIX MEMBERS OF THE BUNCOMBE COUNTY BOARD OF
6 EDUCATION BE ELECTED BY ELIGIBLE VOTERS FROM THE DISTRICT THOSE
7 MEMBERS REPRESENT.";

8
9
10 and on page 2, lines 7-8, by rewriting the lines to read:

11
12 "SECTION 6. Section 4 of Chapter 532 of the Session Laws of 1975, as amended
13 by Chapter 178 of the Session Laws of 1981 and Chapter 93 of the Session Laws of 1995, reads
14 as rewritten:

15 "Sec. 4. The members representing the various districts on the Buncombe County Board of
16 Education shall be residents of ~~these said~~those districts and shall file with the County Board of
17 Elections of Buncombe County a notice of candidacy earlier than 12:00 noon on the first Friday
18 in July, and not later than 12:00 noon on the first Friday in August in the year of the election
19 which shall give the candidate's name, address, place of residence and a statement that he or she
20 desires to be a candidate for membership on the ~~said~~ Buncombe County Board of Education for
21 the district in which he or she resides. ~~The election of said members of said board of education~~
22 ~~shall be by nonpartisan election.~~ The Board of Elections of Buncombe County shall prepare a
23 separate ballot for the election of ~~said~~ members which shall, among other things, contain the
24 name of the candidate, the school district that he or she desires to represent and shall not contain
25 any reference to party affiliation in any manner or form. The candidates for membership on the
26 Buncombe County Board of Education representing districts shall be voted on by the eligible
27 voters residing in that district, and the candidate representing the Buncombe County School
28 Administrative Unit at large shall be voted on at large by the eligible voters resident-residing in
29 the Buncombe County School Administrative Unit, and the Unit. The Board of Elections of
30 Buncombe County shall canvass and judicially determine the results of ~~said-the~~ election and
31 declare the members so elected. All persons ~~so~~ elected shall serve until their successors are
32 elected and ~~qualified, and any~~ qualified. Any vacancy occurring on the Buncombe County Board



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1 of Education by death, resignation or by change of residency from the district from which any
2 ~~such~~ person was elected, or otherwise shall be filled by the appointment by the remaining
3 members of the Board for the unexpired term, but the person appointed to fill such vacancy must
4 be from the same district as the person whose death, resignation or removal created the vacancy
5 on the ~~said~~ Buncombe County Board of Education, provided that if the vacancy has not been
6 filled within 60 days of its occurrence, and the term has not yet expired, then the vacancy shall
7 be filled by the Senior Resident Superior Court Judge of Buncombe County for the remainder of
8 the unexpired term, but the person appointed to fill such vacancy must be from the same district
9 as the person whose death, resignation, or removal created the vacancy on the ~~said~~ Buncombe
10 County Board of Education."

11 **SECTION 7.** Except as otherwise provided, this act is effective when it becomes law
12 and applies to elections conducted on or after that date.";

13
14
15 and by changing the short title to read: "Modify Asheville/Buncombe Sch. Bd. Elect.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____